



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Docket No. GAO-06-02)**

**In re Application of:** )  
                        )  
                        )  
**Zhou, et al.**         )  
                        )  
                        )  
**Serial No.: 10/589,860**     )     **Examiner: TBD**  
                        )  
                        )  
**Filing Date: February 18, 2005**     )     **Art Unit: TBD**  
                        )  
                        )  
**For: Fluidic Devices and Methods for Multiplex**     )  
                        )  
**Chemical and Biochemical Reactions**

**Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**U.S. Express Mail No. EQ 149565439 US**

**RESPONSE TO NOTICE OF MISSING PARTS DATED SEPTEMBER 5, 2008**

Dear Sir / Madam,

This is a response to the Notification of Missing Parts dated April 30, 2008. Attached herewith are: 1) Transmittal Form; 2) Declaration (5 pages); 3) a copy of the Notice (2 pages); 4) Credit Card Payment Form (1 page); 5) Petition for Extension of Time (1 page); 6) Fee Transmittal Form (1 page). A one-month extension of time to respond is required and hereby requested. The undersigned hereby authorizes the Commissioner to charge the credit card listed in the Credit Card payment Form all required fees in this application, including the one-month extension fee (\$65), and the late filed declaration fee (\$65).

12/10/2008 MKAYPAGH 00000038 10589860

01 FC:2632	270.00	OP
02 FC:2633	110.00	OP
03 FC:2617	65.00	OP
04 FC:2251	65.00	OP
05 FC:2614	330.00	OP
06 FC:2615	52.00	OP
07 FC:1206	13.00	OP

## CONCLUSIONS

Consideration and entry of this response is respectfully requested. The Officer is encouraged to contact the undersigned with any comments or questions

Respectfully submitted,

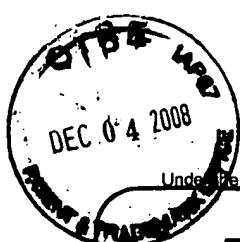
Date: December 4, 2008



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G Kenneth Smith  
Reg. No. 43,135

G Kenneth Smith, Ph.D., J.D.  
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Bethlehem, PA 18015  
Tel: 610-838-9427  
kenxeo@aol.com



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/589,860
		Filing Date	18 February 2005
		First Named Inventor	X Zhou
		Art Unit	TBD
		Examiner Name	TBD
Total Number of Pages in This Submission	13	Attorney Docket Number	GAO-06-02

ENCLOSURES (Check all that apply)																			
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC																	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences																	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)																	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information																	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter																	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):																	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer																		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund																		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____																		
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD																		
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		<p><b>Remarks</b></p> <p>Declaration (5 pages); a copy of the Notice (2 pages); Credit Card Payment Form (1 page); Petition for Extension of Time (1 page); Fee Transmittal Form (1 page); Response (2pp)</p>																	
<p align="center"><b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b></p> <table border="1"> <tr> <td>Firm Name</td> <td colspan="3">G Kenneth Smith</td> </tr> <tr> <td>Signature</td> <td colspan="3"></td> </tr> <tr> <td>Printed name</td> <td colspan="3">G Kenneth Smith</td> </tr> <tr> <td>Date</td> <td>December 4, 2008</td> <td>Reg. No.</td> <td>43135</td> </tr> </table>				Firm Name	G Kenneth Smith			Signature				Printed name	G Kenneth Smith			Date	December 4, 2008	Reg. No.	43135
Firm Name	G Kenneth Smith																		
Signature																			
Printed name	G Kenneth Smith																		
Date	December 4, 2008	Reg. No.	43135																

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	G Kenneth Smith	Date	December 4, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Subject to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2009

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

840.00

**Complete if Known**

Application Number

10/589,860

Filing Date

18 February 2005

First Named Inventor

X. Zhou

Examiner Name

TBD

Art Unit

TBD

Attorney Docket No.

GAO-06-02

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments  
under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity
Utility	330	165	540	270	220	110
Design	220	110	100	50	140	70
Plant	220	110	330	165	170	85
Reissue	330	165	540	270	650	325
Provisional	220	110	0	0	0	0

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity
52	26
220	110
390	195

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
24	- 20 or HP =	4	x 25 =	Fee (\$)	
HP = highest number of total claims paid for, if greater than 20.			100		
6	- 3 or HP =	3	x 105 =	315	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

Fees Paid (\$)

65

**SUBMITTED BY**

Signature

Registration No.  
(Attorney/Agent) 43,135

Telephone 610-838-9427

Name (Print/Type) G. Kenneth Smith

Date 12/4/2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,860	Zhou	GAO-06-02
Patrick J. Halloran 3141 Muirfield Road Center Valley, PA 18034		INTERNATIONAL APPLICATION NO. PCT/US05/05389
		I.A. FILING DATE      PRIORITY DATE 02/18/2005      02/18/2004

CONFIRMATION NO. 2768  
371 FORMALITIES LETTER



OC000000031910117

Date Mailed: 09/05/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 08/18/2006
- Preliminary Amendments filed on 04/25/2008
- Oath or Declaration filed on 04/25/2008
- Small Entity Statement filed on 04/25/2008
- Request for Immediate Examination filed on 04/25/2008
- U.S. Basic National Fees filed on 04/25/2008
- Priority Documents filed on 04/25/2008

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$415 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$840 for a Small Entity:

- \$65 Surcharge.
- The application search fee has not been paid. Applicant must submit \$255 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

- The application examination fee has not been paid. Applicant must submit \$105 to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

Total additional claim fee(s) for this application is **\$415**

- \$315 for 3 independent claims over 3.
- \$100 for 4 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

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Telephone: (703) 308-9140 EXT 201